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April 4, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Office action dated 5/11/07 regarding U.S. patent application number 10/553,621

Dear Sirs:

This letter is responsive to the office action dated 5/11/07 (copy attached) regarding U.S. patent application number 10/553,621.

**Claim rejections under USC Section 102:**

The examiner rejects claims 1, 4, and 6 under 35 U.S.C. 102 as being unpatentable over Asayama (US Patent 5,386,285), stating as part of his reasoning that:

"Asayama discloses in figure 1 an object detection system, comprising: A structured light source (15) capable of projecting a first pattern of structured light from a small aperture, said first pattern of structured light falling within a thin planar volume of space..."

We submit that Asayama does not in fact disclose any form of structured light source, nor does Asayama disclose a planar light source. A structured light source is commonly understood in the art to be a light source which projects onto a scene light with a spatially known pattern of intensity. A planar structured light source projects light with a predetermined pattern of intensity in a planar volume of space.

Asayama discloses a laser radar light source (the term radar having originally been an acronym for Radio Detection And Ranging, and laser radar commonly understood in the art as a distance measuring method where distance is measured by the round-trip time it takes light from a modulated laser to travel to an object in the distance, reflect off it, and come back). This type of light source is not a planar structured light source.

We therefore submit that the claims 1, 4, and 6 are patentable as they stand.

**Claim rejections under USC Section 103(a):**

The examiner rejects claim 5 as being unpatentable over Asayama (US Patent 5,386,285), stating that it would have been obvious to add corrective action to Asayama's invention.

Since claim 5 is a dependent claim which depends on claim 1, the examiner's grounds for rejecting claim 5 is predicated upon the examiners Section 102 rejection of claim 1, which we submit we have overcome above. We therefore submit that claim 5 is patentable as originally submitted.

The examiner rejects claims 2-3 as being unpatentable over Asayama (US Patent 5,386,285), in view of Goncalves et al. (US publication 20040167670). Since claims 2-3 are dependent claims which depend on claim 1, the examiner's grounds for rejecting claims 2-3 are predicated on the examiner's Section 102 rejection of claim 1, which we submit we have overcome above. We therefore submit that claims 2-3 are patentable as originally submitted.

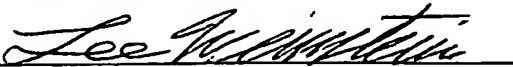
The examiner rejects claims 7-12 as being unpatentable over Asayama (US Patent 5,386,285), in view of Goncalves et al. (US publication 20040167670). Since claims 7-12 are dependent claims which depend on claim 6, the examiner's grounds for rejecting claims 7-12 are predicated on the examiner's Section 102 rejection of claim 6, which we submit we have overcome above. We therefore submit that claims 7-12 are patentable as originally submitted.

If the examiner wishes to discuss this response letter by telephone, at his convenience he may contact Lee Weinstein at (781)643-3281.

Sincerely

  
Lee Weinstein, Registration #56,261

Certificate of express mailing: I certify that this document including the attached amended claims and copy of the related office action were deposited with the US Postal Service as Express Mail, post office to addressee, April 6, 2009, express mail label number EH289273079US.

  
Lee Weinstein